
IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOHN MORRIS KINTER,

Defendant.

**MEMORANDUM DECISION
AND ORDER**

Case No. 2:04CR627DAK

Judge Dale A. Kimball

Defendant John Morris Kinter has filed a Motion for Early Termination of Probation. On May 4, 2005, this court sentenced Defendant to 150 months incarceration and 60 months of supervised release. On August 1, 2015, Defendant began serving his term of supervised release and has served more than half his term.

Pursuant to 18 U.S.C. § 3583(e)(1), after considering the factors set forth in Section 3553(a)(1), (a)(2)(B), (a)(2)(C), (a)(2)(D), (a)(4), (a)(5), and (a)(6), the court may terminate a term of supervised release “at any time after the expiration of one year of supervised release . . . if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice.” The factors to be considered in Section 3553(a) are those factors to be considered in imposing a sentence, including “the nature and circumstances of the offense and the history and characteristics of the defendant,” the applicable sentencing guidelines and any policy statements issued by the Sentencing Commission, and the need for the sentence imposed


to promote respect for the law, to provide just punishment, to deter other criminal conduct, and to provide the defendant with needed services. *See* 18 U.S.C. § 3553(a).

The United States does not object to Defendant's motion. Defendant had no disciplinary violation during his lengthy period of incarceration and took advantage of many of the educational opportunities that were available to him. Defendant has met all the conditions of his supervised release and has been fully compliant. Defendant has been consistently employed since he was in the half-way house. His prior employer described his performance as exceptional. Defendant also has connected with family after many challenging years. The materials Defendant submitted to the court demonstrate that he has been committed to rehabilitating his life and permanently becoming a law-abiding, self-sufficient, productive member of society. Based on Defendant's conduct, the court finds that an early termination of supervised release is warranted.

Accordingly, the court grants Defendant's motion for early termination of supervised release.

DATED this 20th day of April, 2018.

BY THE COURT:

A handwritten signature in black ink, reading "Dale A. Kimball", is written over a horizontal line.

DALE A. KIMBALL
United States District Judge